

Dear Chairwoman Cartisano,

Along with continuing to pursue the now consolidated lawsuit before the U.S. D.C. Circuit Court, which is scheduled for oral arguments on May 11, I strongly urge Council to take the following steps: 1. support Tinicum Township's efforts to prevent the sale of land in the township to the City of Philadelphia, 2. file for an injunction requiring the City of Philadelphia to enforce its Noise Compatibility Program, and 3. support better alternatives to alleviate delays in air travel, such as, regionalization and improving intermodal travel. These steps are to stop planes from flying at low altitudes over our heads, and instead to create a world class regional transportation system.

As you are well aware, the FAA's flawed Airspace Redesign Plan at Philadelphia International Airport (PHL) harms thousands of area residents. Low altitude aircraft overflight is not compatible with residential land use. Excessive noise is more than a mere annoyance; it also negatively impacts human health, education of children, property values, local tax base, and personal safety.

To defeat this flawed plan, Council should support efforts by Tinicum Township to prevent the purchase of land within the township for PHL expansion. PHL needs land in Delaware County to add a new runway. Although the FAA deliberately separated new runway capacity from the Airspace Redesign Plan, this added runway capacity is required in order to fully implement the Airspace Redesign. If Tinicum Township prevents the sale of that land, the capacity increase expected by the FAA's plan will be blocked. In short, the land must not be sold.

Second, Council should pursue an injunction against the City of Philadelphia based on the city's failure to comply with its Noise Compatibility Program. The Federally sponsored and approved Noise Compatibility Program adopted by PHL six years ago requires aircraft leaving PHL to follow the Delaware River until reaching 3000 feet. When the FAA began implementation of the airspace redesign in 2007, this caused PHL to be in violation of this program up to 16 hours every day.

The program is the public policy of the airport, not the FAA. However, the FAA was required by the Aviation Safety and Noise Abatement Act of 1979 to promote such policies in order to encourage compatible use of land surrounding airports. The FAA approved PHL's program

May 19, 2003.

Delaware County and many local municipalities (Ridley, Swarthmore, Media, etc.) have undertaken land use planning, zoning regulation and the issuance of building permits over the last six years which implicitly have relied on PHL's Noise Compatibility Program to avoid incompatible land use. I call upon Delaware County Council and the impacted local municipalities to seek a state court injunction requiring PHL to enforce its program commencing immediately and continuing indefinitely. Enforcement will stop jet aircraft from flying over our homes at low altitudes.

Finally, I urge Council to support better alternatives to the current airspace design, such as addressing air capacity in a regional manner and looking to intermodal transportation solutions. Unused regional airport capacity and intercity rail connected directly to major airports must be part of the solution to defeating airspace redesign at PHL. A Governmental Accountability Office study found an average of 30 seconds reduction in delays with the airspace redesign. However, a study requested by Congressman Rob Andrews (NJ-1) found redirection of just 10% of PHL flights to regional airports would result in a mean flight delay reduction of 14 minutes.

Additionally, last fall the U.S Department of Transportation was instructed by law to commence the process of obtaining proposals for high-speed intercity rail. I am seeking to have the proposals include high-speed rail connecting major airports e.g., Newark, PHL and Wilmington. This is important because approximately one-third of travelers using PHL are traveling less than 200 miles. High-speed rail could provide a preferred alternative and relieve airport overutilization. Last year, I co-sponsored the successful effort by Congressman John Mica (FL-7) that directs the Secretary of Transportation to solicit proposals for projects for the financing, design, construction, and operation of an initial high-speed rail system that will run through Philadelphia on the way from Washington, DC to New York City.

Especially now, with our economy in crisis, it is important to have a vibrant regional transportation system and the jobs needed to improve and maintain it. But we must ensure that we are creating the right jobs, which result in the best possible transportation system. By opposing the airspace redesign, we are supporting the creation of that system through regionalization and intermodal interconnectivity and improvement. Airport flight delays can be addressed and improved in major ways - responsibly and efficiently. We must bring the FAA's Airspace Redesign Plan to a halt in order to force responsible transportation planning to occur.

Sincerely,

Joe Sestak  
Member of Congress